

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TCF INVENTORY FINANCE, INC.,

Plaintiff,

v.

SEATTLE HOME APPLIANCE, LLC,
THOMAS HENRY BEARDSLEE and
SHELLY MAE GILLOTT BEARDSLEE,

Defendants.

No. 2:17-cv-124

~~[PROPOSED]~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR ORDER
GRANTING PLAINTIFF IMMEDIATE
POSSESSION OF COLLATERAL

THIS MATTER came before the Court on TCF Inventory Finance, Inc.'s ("Plaintiff") Motion for Order Granting Plaintiff Immediate Possession of Collateral (the "Motion").

The Court reviewed the pleadings filed herein, including the Motion and the Declaration of Kristi Tarlin filed in support of the Motion (the "Tarlin Declaration"), and conducted a show cause hearing as required under Chapter 7.64 RCW.

Having been fully advised, the Court finds and concludes that:

1. Plaintiff's interest in the below-described property (the "Subject Collateral") is superior to the interest of defendant Seattle Home Appliance, LLC in the Subject Collateral, and Plaintiff has established the right to obtain possession of the Subject Collateral pending final disposition of this case:

~~[PROPOSED]~~ ORDER GRANTING PLAINTIFF'S MOTION FOR
ORDER GRANTING PLAINTIFF IMMEDIATE POSSESSION OF
COLLATERAL - 1
Case No. 2:17-cv-124

FOSTER PEPPER PLLC
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PHONE (206) 447-4400 FAX (206) 447-9700

1 All inventory with brand names of Electrolux, GE, Tristate,
2 Frigidaire, Broan, Monogram, Danby, Speed Queen, NXR,
3 Crosley, and Hotpoint, along with all documents that evidence
4 ownership and/or maintenance.

5 2. A bond in the amount of \$1,000.00 is appropriate pursuant to RCW
6 7.64.035(1)(b). *py*

7 NOW, THEREFORE, IT IS HEREBY ORDERED that:

8 1. The Motion is granted.

9 2. Plaintiff is granted immediate possession of the Subject Collateral pending final
10 disposition of this case.

11 3. The United States Marshal of the Western District of Washington, or any other
12 district in which the Subject Collateral may be located, shall promptly take possession of the
13 Subject Collateral (described as all inventory with brand names of Electrolux, GE, Tristate,
14 Frigidaire, Broan, Monogram, Danby, Speed Queen, NXR, Crosley, and Hotpoint, along with all
15 documents that evidence ownership and/or maintenance) from Seattle Home Appliance, LLC at
16 any of the following locations: 18811 Bothell Way, Northeast, Suite 201, Bothell, WA 98011;
17 5049 South Tacoma Way, Tacoma, WA 98409; 18815 Aurora Avenue North, Shoreline, WA
18 98133; 18120 Bothell Way, Bothell, WA 98011, or wherever else the Subject Collateral may be
19 located, using whatever force as is reasonably necessary to effectuate this Order and deliver over
20 the Subject Collateral to Plaintiff, including without limitation breaking and entering a building
21 or enclosure to obtain possession of the Subject Collateral if it is concealed in the building or
22 enclosure.

1 PLEASE TAKE NOTICE that failure of Seattle Home Appliance, LLC to turn over
2 possession of the Subject Collateral to the United States Marshal may subject it to being
3 held in contempt of Court upon application to the Court by Plaintiff without further notice.
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5 DATED this 24th day of February, 2017

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7 United States District Court Judge/ ~~Magistrate Judge~~
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